

## CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1138

**Citations Affected:** IC 4-33-12-6.2; IC 6-1.1-21-10; IC 6-1.1-21-10.5; IC 8-1.5; IC 14-22; IC 36-4; IC 36-10.

**Synopsis:** Local government administration. Conference committee report for EHB 1138. Requires the treasurer of state to reduce by 10% the amount of money from riverboat gaming received by the Lake County convention and tourism bureau and to transfer the amount of the reduction to the northwest Indiana law enforcement training center for operating purposes. Allows, for estimated distributions payable before July 1, 2004, the property tax replacement fund board to make an early distribution of property tax replacement credit amounts to one or more counties without making an early distribution to all counties. Provides that the property tax replacement fund board shall issue guidelines governing application for counties seeking an early distribution. Changes the membership of the Lake County Convention and Visitors Bureau. Authorizes any municipality within the service area of a public or municipal water utility to adopt an ordinance to provide that the charges for the production, storage, transmission, sale and delivery, or furnishing of water for public fire protection purposes must be included in the basic rates of all customers of the utility within the municipality. Allows certain municipalities to collect fees related to the acquisition, construction, installation, operation, and maintenance of facilities and land for storm water systems through a periodic billing system or through the semiannual property tax statement. Allows, instead of requires, the clerk of the circuit court in each county to issue hunting, trapping, and fishing licenses. Changes the date by which the appropriations and annual tax levy ordinance must be passed from the first Monday in September to September 20 for a third class city and September 30 for a second class city. Provides that a second class city may pay each commissioner on the board of parks an annual salary in an amount fixed by the fiscal body. Updates population parameters to reflect changes in the 2000 decennial census. Makes conforming changes. (This conference committee report: (1) requires the treasurer of state to reduce by 10% the amount of money received by the Lake County convention and tourism bureau and to transfer the amount of the reduction to the northwest Indiana law enforcement training center for operating purposes; (2) allows, for estimated distributions payable before July 1, 2004, the property tax replacement fund board to make an early distribution of property tax replacement credit amounts to one or more counties without making an early distribution to all counties; (3) provides that the property tax replacement fund board shall issue guidelines governing application for counties seeking an early distribution; and (4) eliminates the authorization for a county to establish a department of storm water

management.)

**Effective:** Upon passage; July 1, 2002; July 1, 2003.

# CONFERENCE COMMITTEE REPORT

**MR. PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1138 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 4-33-12-6.2 IS ADDED TO THE INDIANA CODE
- 4       AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5       1, 2002]: **Sec. 6.2. (a) This section applies only to a county that has**
- 6       **a population of more than four hundred thousand (400,000) but**
- 7       **less than seven hundred thousand (700,000).**
- 8       **(b) Notwithstanding any other law, the treasurer of state shall:**
- 9       **(1) reduce any funds to which the county convention and**
- 10       **visitors bureau and promotion fund would otherwise be**
- 11       **entitled under this article by an amount equal to ten percent**
- 12       **(10%); and**
- 13       **(2) transfer, on a quarterly basis, the amount of the reduction**
- 14       **to the northwest Indiana law enforcement training center.**
- 15       **(c) Money transferred under subsection (b)(2) may be used only**
- 16       **to operate the northwest Indiana law enforcement training center.**
- 17       SECTION 2. IC 6-1.1-21-10, AS AMENDED BY SEA 357-2002,
- 18       SECTION 201, IS AMENDED TO READ AS FOLLOWS
- 19       [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) There is established a**
- 20       **property tax replacement fund board to consist of the commissioner of**
- 21       **the department, the commissioner of the department of local**
- 22       **government finance, the director of the budget agency, and two (2) ex**

officio nonvoting representatives of the general assembly of the state of Indiana. The speaker of the house of representatives shall appoint one (1) member of the house as one (1) of the ex officio nonvoting representatives, and the president pro tempore of the senate shall appoint one (1) senator as the other ex officio nonvoting representative, each to serve at the will of the appointing officer. The commissioner of the department shall be the chairman of the board, and the director of the budget agency shall be the secretary of the board.

(b) The board may, upon a vote of a majority of the members of the board, increase the percentage of property tax replacement funds to be distributed from the property tax replacement fund to the several counties for credit to the taxpayers in the counties as provided in this chapter if in the judgment of the board there are surplus funds available in the fund for the increased distribution. The board shall make such a determination on or before March 1 of each year relative to the amounts to be distributed from the property tax replacement fund for that year. Upon such a determination the commissioner of the department of state revenue shall immediately notify the treasurers of the several counties of the increased distribution.

(c) **Except as provided in section 10.5 of this chapter**, the schedule to be used in making distributions to county treasurers during the periods set forth in section 4(b) of this chapter is as follows:

January	0.00%
February	0.00%
March	16.70%
April	16.70%
May	16.60%
June	0.00%
July	0.00%
August	0.00%
September	16.70%
October	16.70%
November	16.60%
December	0.00%

The board may authorize the department to distribute the estimated distributions to counties earlier than what is required under section 4(b) of this chapter.

(d) The board is also authorized to transfer funds from the property tax replacement fund for the purpose of providing financial aid to school corporations as provided in IC 21-3.

SECTION 3. IC 6-1.1-21-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10.5. (a) For estimated distributions payable before July 1, 2004, the board may authorize the department to distribute the estimated distributions under section 10(c) of this chapter to one (1) or more counties or to all counties earlier than what is required under section 4(b) or 10(c) of this chapter. The board may authorize the advance of an estimated distribution at any time during the calendar year in which the estimated distribution would otherwise be made. The board shall issue guidelines governing the application process for**

- 1 **counties that apply for an advance of an estimated distribution**
  - 2 **under this subsection.**
  - 3 **(b) This section expires July 1, 2004."**
  - 4 Page 3, line 17, delete "IC 8-1-2-103" and insert "IC 8-1-2-103, AS
  - 5 AMENDED BY SEA 399-2002, SECTION 66,".
  - 6 Page 3, line 28, delete "(a)" and insert "(a),".
  - 7 Page 3, line 28, delete "of this section,".
  - 8 Page 5, line 36, delete "forty-three thousand (43,000)".
  - 9 Page 5, line 37, delete "but less than forty-three thousand seven
  - 10 hundred (43,700).".
  - 11 Page 5, line 37, reset in roman "fifty".
  - 12 Page 5, line 38, reset in roman "thousand (50,000) but less than
  - 13 fifty-five thousand (55,000).".
  - 14 Page 6, delete lines 37 through 42.
  - 15 Delete page 7.
  - 16 Page 8, delete lines 1 through 41.
  - 17 Page 9, line 11, reset in roman "legislative".
  - 18 Page 9, line 11, delete "fiscal".
  - 19 Page 9, line 12, reset in roman "municipality,".
  - 20 Page 9, line 12, delete "unit that is served by the department,".
  - 21 Page 9, delete lines 19 through 42.
  - 22 Delete pages 10 through 11.
  - 23 Page 12, delete lines 1 through 26.
  - 24 Renumber all SECTIONS consecutively.
- (Reference is to EHB 1138 as reprinted February 27, 2002.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1138**

**S**igned by:

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Representative Stevenson  
Chairperson

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Senator Skillman

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Representative Ayres

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Senator Antich

**House Conferees**

**Senate Conferees**